

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

JANICE HARGROVE WARREN

PLAINTIFF

VS.

CASE NO. 4:19-CV-00655 BSM

KEMP, ET AL.

DEFENDANTS

<p>Sarah Howard Jenkins, PLLC Attorney at Law Arkansas Bar No. 97046 P. O. Box 242694 Little Rock, Arkansas 72223 Telephone: 501-406-0905 Email: sarah@shjenkinslaw.com</p> <p>Attorney for Plaintiff</p>	<p>William Cody Kees, No. 2012118 George Jay Bequette, No. 87012 BEQUETTE, BILLINGS & KEES, P.A. 425 W. Capitol Avenue, Suite 3200 Little Rock, Arkansas 72201 Telephone: 501-374-1107 Facsimile: 501-374-5092</p> <p>jbequette@bbpalaw.com ckees@bbalaw.com</p> <p>Attorneys for Defendant</p>
<p>Austin Porter Jr., Ark. Bar No. 86145 PORTER LAW FIRM Catlett-Prien Tower Building 323 Center Street, Suite 1035 Little Rock, Arkansas 72201 Telephone: 501-244-8200 Facsimile: 501-372-5567 Email: Aporte5640@aol.com</p> <p>Attorney for Plaintiff</p>	

PLAINTIFF'S AMENDED AND SUBSTITUTED MOTION FOR EQUITABLE AND
INJUNCTIVE RELIEF

Comes the plaintiff Janice Warren, Ed.D, by and through her attorneys **Sarah Howard Jenkins** and **Austin Porter Jr., d/b/a PORTER LAW FIRM**, and for her motion for equitable and injunctive relief, she states the following:

1. On September 23, 2019, the plaintiff filed her cause of action for race and sex discrimination and retaliation contending that she was the victim of unlawful employment practices in violation of Title VII of the Civil Rights Act of 1964 (as amended) and pursuant to 42 U.S.C. § 1981, when she denied the opportunity to interview for the superintendent's position and was ultimately passed over for superintendent's position in April 2018. The position was awarded to a Caucasian male. The plaintiff established that she was the subject of retaliatory conduct because she engaged in the protected activity of opposing and reporting race discrimination, as required by her position of Interim Superintendent and to prevent a material adverse effect on the benefits, privileges, and conditions of employment of the majority black administrators and black teachers assigned to Mills High School.

2. This matter was tried to a jury of eight (8) people from February 14, 2022 to February 25, 2022.

3. The jury unanimously agreed that the plaintiff had been the victim of retaliatory conduct when she was denied the superintendent's position in April 2018, and awarded her damages in the amount of \$208,025.40 on her back pay claim, and \$125,000.00 in compensatory damages. The plaintiff was also awarded \$25,000.00 in punitive damages each against board members Linda Remele and Alicia Gillen.

4. However, the jury ruled against the plaintiff on her claims of race and sex discrimination, and her other claim of retaliation for not being selected for the deputy superintendent's position in July 2018.

5. The plaintiff now files this motion for equitable relief, requesting that the court make her whole by a) ordering the PCSSD to place her in the superintendent's position or in the alternative to order the PCSSD to place her in the next available superintendent's position or in

the alternative to award the plaintiff two (2) years of front pay, b) ordering the PCSSD to adjust her salary and pay grade to that which equals the superintendent's position, c) award her pre-judgment interest and post-judgment interest until the amount of the verdict is paid d) enjoining the PCSSD from further acts of retaliation, and e) requiring PCSSD to provide its board and its administrative cabinet with annual conflict resolution, non-bullying leadership/management training, and f) declaring that the plaintiff was the victim of retaliation for opposing discriminatory treatment.

THEREFORE, the plaintiff requests that the court enter an order directing the Pulaski County Special School District to place the plaintiff in the superintendent's position or in the alternative to award her two (2) years of front pay, in the event that the court is not inclined to either place the plaintiff in the superintendent's position or award her front pay, order the defendant to bring her salary equal to the benefit package of the superintendent, award pre-judgment interest, injunctive relief, a declaration that the plaintiff was the victim of retaliation, and any and all other equitable relief to which the plaintiff is entitled.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Austin Porter Jr., do hereby certify that a copy of the foregoing pleading was electronically filed with the Clerk of the United States District Court for the Eastern District of Arkansas, on this 21st day of March 2022, by using the CM/ECF system, which is designed to send notification of such filing to the following person:

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